

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NEVA LEMA,

C 09-0494 VRW

Plaintiff,

v

MARIE CALLENDER'S #86 CONCORD, et
al,

Defendants.

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The court is in receipt of plaintiff's motion to be relieved of General Order 56, Doc #11, and defendants' response, Doc #12. Because plaintiff fails to establish good cause for such relief, the request, Doc #11, is DENIED.

Defendants, in response to plaintiff's request, contend that "Marie Callender's made substantial alterations to the subject premises after Plaintiff's alleged visits. * * * The alterations requested by Plaintiff in her complaint are all moot." Doc #12 at 3. The court HEREBY REFERS the above-captioned matter to a magistrate judge pursuant to 28 USC §636 for proposed findings of fact and recommendation as to the issue of mootness. The

1 magistrate shall identify the alterations plaintiff requested,
2 consider evidence relating to any remedial alterations and make
3 proposed findings whether such alterations moot all or some of
4 plaintiff's claims.

5 In addition to or in lieu of preparing a report and
6 recommendation, the magistrate may conduct a settlement conference
7 should it appear that settlement would produce a more timely and
8 economical resolution of the matter.

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10 IT IS SO ORDERED.



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13 VAUGHN R WALKER
14 United States District Chief Judge
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